

## REMARKS

Claims 26-61 are currently pending in the application and have been subjected to restriction under 35 U.S.C. §121. Specifically, the Office Action alleges that the application contains claims directed to the following patentably distinct species:

Species 1: as illustrated in Figures 1-4C;

Species 2: as illustrated in Figures 5-6C;

Species 3: as illustrated in Figures 7-8D; and

Species 4: as illustrated in Figures 9A-10C.

It is the Examiner's position that these species listed above are patentably distinct from each other. In order to be fully responsive to the Examiner's requirement for restriction, Applicants provisionally elect, without traverse, the subject matter of Species 1, drawn to Figures 3-4C<sup>1</sup> of the specification, for continued prosecution on the merits. Claims 28-33, 38, 44, 53, 56 and 59 read on the elected species. Claims 38 and 44 have been identified as generic by the Examiner.

Applicants reserve the right under 35 U.S.C. §121 to file one or more divisional applications directed to the non-elected subject matter in this application in the event that the restriction requirement is made final.

Applicants respectfully submit that a determination to make the pending species restriction requirement final must evidence the patentable distinctness of all defined four species, one from the other, as identified by the Examiner.

---

<sup>1</sup> Applicants respectfully submit that Species 1 is drawn to Figures 3-4C, because Figures 1-2D are directed to the prior art.

In view of the foregoing, an examination on the merits of the elected claims, at an early date, is earnestly solicited.

Respectfully submitted,

/Peter I. Bernstein/

Peter I. Bernstein  
Registration No. 43,497

Scully, Scott, Murphy, & Presser, P.C.  
400 Garden City Plaza, Suite 300  
Garden City, New York 11530  
516-742-4343  
PIB:HC/ech/dk